

Livestock Identification and Marketing Opportunities Act

Representative Steve King (IA-05)

Section 1. Short Title

Section 2. Findings

Section 3. Livestock Identification Board

- Establishes a Livestock Identification Board whose duties are to establish and maintain the livestock identification system.
- The Board would require the following information: the livestock, group or lot identification number; the date the number was assigned; the premise number; the species of the livestock; the date of birth to the extent possible; the sex of the livestock, any other information the Board considers appropriate for animal disease surveillance, and any other information that the person who owns or controls the livestock voluntarily submits to the Board.
- The Board would determine the official identification technology. They would be able to prescribe and collect fees to recover the cost of the system and would be able to create a grant program to assist users of the system to fulfill the requirements of the system.
- The Board would consist of seven voting members and two non-voting members that are appointed by the Secretary of Agriculture in consultation with the relevant Congressional committees. The membership would elect a chair. The members would serve three-year terms.
 - Voting membership would be a representative from the following sectors: cattle, swine, sheep and goats, poultry, livestock auction market operators, meat processors and one at-large member.
 - Non-voting membership would be one representative from USDA and one representative of State or tribal veterinarians or State or tribal agriculture agencies.
- The system would be mandatory as of December 31, 2008. The Board would report to the Secretary of Agriculture and the relevant Congressional committees a status report on a regular basis leading up to the implementation date.

Section 4. Premise Identifications

- The Secretary of Agriculture would establish a premise identification system no later than nine months after the enactment. The premise data shall include a premise number; the name of the entity that owns or controls the premise; contact information for the premise; the type of operation at the premise and the date the premise number was assigned.

Section 5. Enforcement; First Entry into Commerce

- The Secretary of Agriculture would verify that each animal or group of animals is properly identified upon first entry of the animal into commerce.

Section 6. Voluntary Participation for Other Animal Species

- Other species may use the system on a voluntary basis. They would not be subject to the enforcement provision.

Section 7. Release of Livestock Identification Numbering Information

- Livestock and premise information would be exempt from the Freedom of Information Act.
- The Board may release information if:
 - a disease or pest poses a significant threat to the livestock that the information involves;
 - the release of the information is related to actions the Board may take under this Act; and
 - the person obtaining the information needs the information for reasons consistent with public health and safety purposes.
- The Board shall release information to:
 - the person who owns or controls the livestock;
 - the Secretary of Agriculture for the purpose of animal disease surveillance;
 - a State or tribal veterinarian or a State or tribal agriculture agency for the purpose of animal disease surveillance;
 - the Attorney General for the purpose of investigation or prosecution of a criminal act;
 - the Secretary of Homeland Security for the purpose of national security;
 - the Secretary of Health and Human Services for the purpose of protection of public health; and
 - the government of a foreign country, if the release of the information is necessary to trace livestock threatened by disease or pest.
- This section shall take precedence over State law with regard to interstate and international commerce.

Section 8. Report on Impact of Livestock Identification System

- No later than 180 days after enactment, USDA shall report the lessons learned and effectiveness of the pilot programs in FY05, an analysis of the economic impact of the system and an expected cost of implementing the system.

Section 9. Conforming Amendments

- Removes the provision in the mandatory country of origin labeling (COOL) law which now prohibits the Secretary from using a mandatory identification system to verify the country of origin of a covered commodity.

Section 10. Definitions

- Contains definitions for this Act, including defining “livestock” to mean cattle, swine, sheep, goats and poultry; and “premise” to mean a location that holds, manages or boards animals.

Section 11. Authorization of Appropriations

- Authorizes appropriations of \$33 million for each fiscal years 2006 through 2008.